



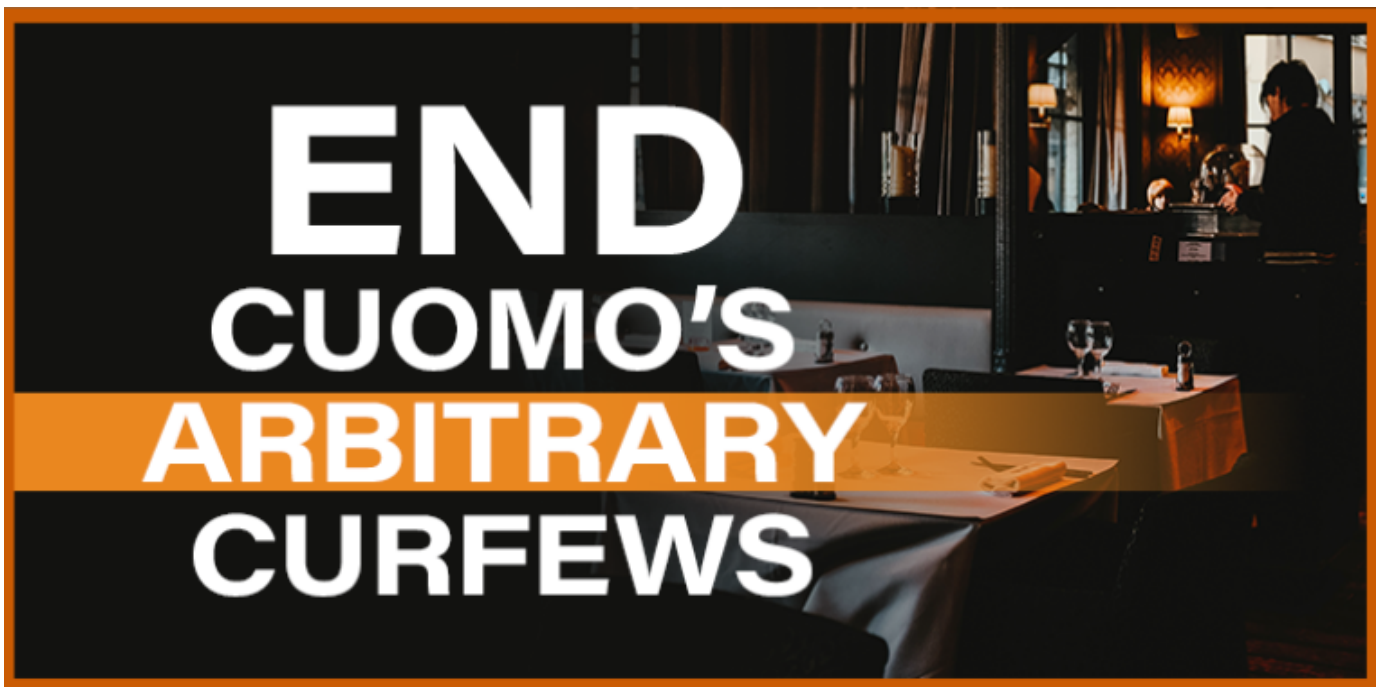
NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara again calls for ending Cuomo's curfew for restaurants and bars

THOMAS F. O'MARA April 16, 2021

| ISSUE: [CORONAVIRUS PANDEMIC](#); [COVID-19: GOVERNOR](#); [EXTRAORDINARY POWERS](#)



Governor Cuomo's nearly 100 Executive Orders have allowed him to unilaterally change hundreds of state laws, as well as implement rules and regulations and make spending decisions, without legislative approval.

Elmira, N.Y., April 15—Senator Tom O'Mara (R,C,I-Big Flats) today renewed the call for the Legislature to take immediate action to completely rescind Governor Andrew Cuomo's emergency executive order implementing a curfew for bars and restaurants.

O'Mara and the Senate Republican Conference recently introduced a concurrent legislative resolution to fully repeal the curfew. Under current rules, the Legislature can repeal an emergency executive order by the governor through a concurrent resolution approved by a simple majority of both houses of the Legislature.

O'Mara, who co-sponsors the resolution, said, "It's time for the Legislature to step in and revisit Governor Cuomo's dozens of emergency executive orders to determine which ones are no longer needed, first and foremost, and then get them out of the way of a safe, practical, sensible, and badly needed reopening. One of the first that needs rescinding is this arbitrary, capricious, non-scientific curfew that continues to prevent restaurants, bars, taverns, and the entire hospitality industry from truly beginning a full recovery from the COVID-19 economic shutdown. It continues to destroy small business owners, their employees, and the livelihoods they depend on."

Last November, Cuomo issued Executive Order 202.74 that imposed a 10 p.m. curfew for bars, restaurants, gyms, fitness centers, and other facilities throughout the state. Earlier this year, he extended the curfew to 11 p.m. followed by, earlier this month, lifting it altogether for gyms, fitness centers, casinos, movie theaters, bowling alleys, and billiard halls.

Cuomo has left the arbitrary and damaging rule in place for bars and restaurants, however, subject only to his own periodic review. Yesterday, after recently saying that he would reevaluate the curfew for bars and restaurants in early May, he unexpectedly extended the curfew to midnight.

The Senate GOP also recently introduced a resolution to repeal Executive Order (202.52 of 2020), which has been in effect since it was issued by Cuomo last July, states that establishments licensed by the State Liquor Authority (SLA) can only serve a customer an alcoholic beverage if the order is accompanied by the purchase of a food item.

O'Mara noted the hospitality industry has been one of the hardest hit of all economic sectors since New York began its COVID-19 shutdowns one year ago this week.

Since the onset of the pandemic last March, when Cuomo was first granted the emergency authorization, the governor's nearly 100 Executive Orders have allowed him to unilaterally change hundreds of state laws, as well as implement rules and regulations and make spending decisions, without legislative approval.